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OCEAN DRIVE  
COMMUNICATIONS, INC.

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The Secretary  
Federal Communications Commission  
1919 M Street NW  
Washington, DC 20554

May 20, 1994

Ref: Notice of Inquiry; EEO

Dear Sir;

Please accept this brief letter of comments regarding the Commission's review of EEO enforcement and renewal of broadcast licenses.

Having gone through a rather rigorous, in-depth license renewal and NAACP challenge from 1988 through 1993, I am confident my comments are rooted in experience and firsthand knowledge. I commend the Commission for reviewing the process and believe the overall efforts at ensuring a strong affirmative action presence in the broadcasting industry is critical and positive.

There are several comments offered;

- 1) The Notice of Inquiry raises questions about the concerns of small market broadcasters. Without question small market operations have a difficult time recruiting minority applicants and may not be able to realistically achieve the numerical goals set forth by the Commission. Perhaps a greater focus on substantive, qualitative efforts at recruitment would in effect provide more opportunities and create a strong, positive affirmative action program. Focus on substantive, qualitative recruitment efforts.
- 2) When reviewing census data for a particular broadcast license, the Commission could and perhaps should review not only county-wide or SMA information, but also information from the City of License. Broadcast operations are required to serve and program for their City of License. Should not the Commission also require the licensee to serve it's City of License from an affirmative action perspective? Primary signal service area should be a factor in the review of census data to determine minority population.
- 3) Since the business of broadcasting in general has recently focused on fewer fulltime employees

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through the advent of digital equipment and storage, and since cost effectiveness in many broadcast operations means utilizing fewer fulltime employees and more parttime employees, and since many small market operations use their parttime employees as trainees for future fulltime positions, it would seem important the Commission consider all parttime positions (upper 4 categories) as valuable when reviewing a station's EEO performance. Actual employment numbers as well as recruitment efforts should be considered for parttime position.

4) When reviewing the performance of a licensee could not the Commission consider market factors such as educational levels, economic levels, employment industry bases, and other individual factors that make up the style and type of community for the licensee? While the review may tend to become a more subjective review for individual stations, perhaps greater understanding of market restraints and conditions will enable the Commission to better enforce, nurture, and enhance Affirmative Action plans.

5) A greater emphasis on training programs, scholarship and intern programs, as well as community involvement with minority businesses and organizations will actually do more to increase minority opportunities in the broadcast industry. Far too many stations are achieving numerical goals by creating non-working positions or marginal upper four category positions. Unfortunately broadcast operations circumvent the idealized goals of the Commission by simply throwing money at minority individuals or positions. A proactive approach to improving opportunities in the industry will be far more effective long range than hiring one more secretary with the title of Assistant Manager to the Office Manager. Scholarship programs, hands-on internship programs, and paid training programs will achieve ultimate goals and should receive far greater weight during license renewal review.

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We in the broadcast industry must do more than achieve numerical goals when addressing Affirmative Action. Real, qualitative advances can only be made through honest, aggressive interaction with our communities and listeners. The Commission must help us through education, direction, coaching, suggestion, and encouragement before critical review and penalties.

As holders of a public trust and broadcast license we are obligated to ensure positive, quality careers for minorities and women. A focus on people, personalities, actual lives will do far more than sheer numerical statistics. The numerical goals must exist of course so that quantitative results may be idealized and measured, but let us make sure we do not lose sight of the people involved in the process.

Finally, I believe most broadcasters will gladly respond to input and encouragement from all those in a community who may offer contacts with and for potential minority employees. We need more response, we need greater involvement and we need more direction from the minority community before renewal reviews.

Thank you for reviewing my comments. I welcome questions or comments.

Most Cordially,

  
Matthew S. Sedota  
President & General Manager

/s